

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MADISON HOUSE, LTD., d/b/a Madison
House Ltd. Sotheby's International Realty, a
Washington corporation, and ALBERT and
KATHRYN HUGHES, a married couple;

Plaintiffs,

v.

SOTHEBY'S INTERNATIONAL REALTY
AFFILIATES, INC., a Delaware corporation;
CENDANT REAL ESTATE SERVICES
GROUP, INC., a Delaware corporation; and
CENDANT CORPORATION, a Delaware
corporation,

Defendants.

NO. 06-1054-MJP

STIPULATION AND ORDER TO:

(1) VACATE STATE COURT ORDER
OF DEFAULT AND DEFAULT
JUDGMENT, AND

(2) STRIKE PLAINTIFFS' MOTION TO
REMAND ACTION TO STATE
COURT

STIPULATION

The parties, through their undersigned counsel, hereby stipulate to the following:

(1) The parties stipulate that the Order of Default and Default Judgment entered by the King County Superior Court of Washington on July 28, 2006 may be vacated, and further agree that they will jointly file a stipulation with the King County Superior Court vacating that Order of Default and Default Judgment.

(2) Plaintiffs strike their Motion to Remand Action to State Court under 28 U.S.C. § 1447(c), which was noted for September 15, 2006.

1 DATED this 8th day of September, 2006.

2 TOUSLEY BRAIN STEPHENS PLLC

SUSSMAN SHANK LLP

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4 By: /s/ Chase Alvord
5 Chase C. Alvord, WSBA #26080
6 Attorneys for Plaintiffs

By: /s/ John Schwimmer*
John A. Schwimmer, WSBA #36558
Attorneys for Defendants*via email authorization

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8 **ORDER**

9 Upon the foregoing stipulation, it is ORDERED, without costs to either party, that:

10 (1) The Order of Default and Default Judgment entered on July 28, 2006 by the King
11 County Superior Court of Washington against Defendant Sotheby's International Real Estate
12 Affiliates is hereby VACATED;

13 (2) The King County Superior Court shall enter a corresponding order on its docket
14 vacating the Order of Default and Default Judgment; and

15 (3) Plaintiffs' Motion to Remand to State Court noted for September 15, 2006 is
16 STRICKEN.

17 DATED: September _25_, 2006

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19 /s/ Marsha J. Pechman
20 MARSHA J. PECHMAN
21 United States District Judge
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